

The amendment (No. 2685) was agreed to, as follows:

(Purpose: To include all of the 28 States originally on the National Park Service's list in the commission)

On page 4, strike lines 6 through 8, and insert the following:

(A) means the States of Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and Wisconsin; and

On page 4, line 18, strike "23" and insert "42".

On page 4, line 19, strike "9" and insert "28".

The bill (S. 959), as amended, was read the third time and passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

#### THEODORE ROOSEVELT COMMEMORATIVE COIN ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 863 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 863) to require the Secretary of the Treasury to mint coins in commemoration of the centenary of the bestowal of the Nobel Peace Prize on President Theodore Roosevelt, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2686) was agreed to, as follows:

(Purpose: To authorize the Secretary of the Treasury to issue, after December 31, 2005, numismatic items that contain 5-cent coins minted in the years 2004 and 2005, and for other purposes)

On page 11, after line 15, add the following:  
**SEC. 8. CONTINUED ISSUANCE OF 5-CENT COINS MINTED IN 2004 AND 2005.**

Notwithstanding the fifth sentence of section 5112(d)(1) of title 31, United States Code, the Secretary of the Treasury may continue to issue, after December 31, 2005, numismatic items that contain 5-cent coins minted in the years 2004 and 2005.

#### **SEC. 9. LEWIS AND CLARK COIN AMENDMENTS.**

Section 308 of the Lewis and Clark Expedition Bicentennial Commemorative Coin Act (31 U.S.C. 5112 note) is amended—

(1) in subsection (a), by striking "Secretary as:" and all that follows through the end of the subsection and inserting the following: "Secretary for expenditure on activi-

ties associated with commemorating the bicentennial of the Lewis and Clark Expedition, as follows:

"(1) NATIONAL COUNCIL OF THE LEWIS AND CLARK BICENTENNIAL.—One-half to the National Council of the Lewis and Clark Bicentennial.

"(2) MISSOURI HISTORICAL SOCIETY.—One-half to the Missouri Historical Society.";

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

"(b) TRANSFER OF UNEXPENDED FUNDS.—Any proceeds referred to in subsection (a) that were dispersed by the Secretary and remain unexpended by the National Council of the Lewis and Clark Bicentennial or the Missouri Historical Society as of June 30, 2007, shall be transferred to the Lewis and Clark Trail Heritage Foundation for the purpose of establishing a trust for the stewardship of the Lewis and Clark National Historic Trail."

The bill (S. 863), as amended, was read the third time and passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

#### HONORING MEMBERS OF THE ARMED FORCES

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 338, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 338) honoring the memory of the members of the Armed Forces of the United States who have given their lives in service to the United States in Operation Iraqi Freedom and Operation Enduring Freedom.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 338) was agreed to.

The preamble was agreed to.

(The text of the resolution is printed in today's RECORD under "Submitted Resolutions.")

#### URGING THE RUSSIAN FEDERATION TO WITHDRAW THE FIRST DRAFT OF PROPOSED LEGISLA- TION

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 339, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 339) urging the Government of the Russian Federation to with-

draw the first draft of the proposed legislation as passed in its first reading in the State Duma that would have the effect of severely restricting the establishment, operations, and activities of domestic, international, and foreign nongovernmental organizations in the Russian Federation, or to modify the proposed legislation to entirely remove these restrictions.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 339) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 339

Whereas Russian Federation President Putin has stated that "modern Russia's greatest achievement is the democratic process (and) the achievements of our civil society";

Whereas the unobstructed establishment and free and autonomous operations and activities of nongovernmental organizations and a robust civil society free from excessive government control are central and indispensable elements of a democratic society;

Whereas the free and autonomous operations of nongovernmental organizations in any society necessarily encompass activities, including political activities, that may be contrary to government policies;

Whereas domestic, international, and foreign nongovernmental organizations are crucial in assisting the Russian Federation and the Russian people in tackling the many challenges they face, including in such areas as education, infectious diseases, and the establishment of a flourishing democracy;

Whereas the Government of the Russian Federation has proposed legislation that would have the effect of severely restricting the establishment, operations, and activities of domestic, international, and foreign nongovernmental organizations in the Russian Federation, including erecting unprecedented barriers to foreign assistance;

Whereas the State Duma of the Russian Federation is considering the first draft of such legislation;

Whereas the restrictions in the first draft of this legislation would impose disabling restraints on the establishment, operations, and activities of nongovernmental organizations and on civil society throughout the Russian Federation, regardless of the stated intent of the Government of the Russian Federation;

Whereas the stated concerns of the Government of the Russian Federation regarding the use of nongovernmental organizations by foreign interests and intelligence agencies to undermine the Government of the Russian Federation and the security of the Russian Federation as a whole can be fully addressed without imposing disabling restraints on nongovernmental organizations and on civil society;

Whereas there is active debate underway in the Russian Federation over concerns regarding such restrictions on nongovernmental organizations;

Whereas the State Duma and the Federation Council of the Federal Assembly play a central role in the system of checks and balances that are prerequisites for a democracy;

Whereas the first draft of the proposed legislation has already passed its first reading in the State Duma;

Whereas President Putin has indicated his desire for changes in the first draft that would "correspond more closely to the principles according to which civil society functions"; and

Whereas Russia's destiny and the interests of her people lie in her assumption of her rightful place as a full and equal member of the international community of democracies: Now, therefore, be it

*Resolved by the Senate,* That the Senate—

(1) urges the Government of the Russian Federation to withdraw the first draft of the proposed legislation that would have the effect of severely restricting the establishment, operations, and activities of domestic, international, and foreign nongovernmental organizations in the Russian Federation, or to modify the proposed legislation to entirely remove these restrictions; and

(2) in the event that the first draft of the proposed legislation is not withdrawn, urges the State Duma and the Federation Council of the Federal Assembly to modify the legislation to ensure the unobstructed establishment and free and autonomous operations and activities of such nongovernmental organizations in accordance with the practices universally adopted by democracies, including the provisions regarding foreign assistance.

#### REDUCING CONFLICTS OF INTERESTS IN THE REPRESENTATION OF INDIAN TRIBES ACT OF 2005

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to immediate consideration of Calendar No. 329, S. 1312.

The PRESIDING OFFICER. The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1312) to amend a provision relating to employees of the United States assigned to, or employed by, an Indian tribe, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the McCain amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The amendment (No. 2687) was agreed to, as follows:

AMENDMENT NO. 2687

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Reducing Conflicts of Interests in the Representation of Indian Tribes Act of 2005".

#### SEC. 2. ADDITIONAL EMPLOYMENT RIGHTS.

Section 104 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450i) is amended by striking subsection (j) and inserting the following:

"(j) ADDITIONAL EMPLOYMENT RIGHTS.—

"(1) DEFINITION OF TRIBAL EMPLOYEE.—In this subsection, the term 'tribal employee', with respect to an Indian tribal government, means an individual acting under the day-to-day control or supervision of the Indian tribal government, unaffected by the control or

supervision of any independent contractor, agency or organization, or intervening sovereignty.

"(2) RIGHTS OF CERTAIN EMPLOYEES.—Notwithstanding sections 205 and 207 of title 18, United States Code, an officer or employee of the United States assigned to an Indian tribe under section 3372 of title 5, United States Code, or section 2072 of the Revised Statutes (25 U.S.C. 48), or an individual that was formerly an officer or employee of the United States and who is a tribal employee or an elected or appointed official of an Indian tribe carrying out an official duty of the tribal employee or official may communicate with and appear before any department, agency, court, or commission on behalf of the Indian tribe on any matter, including any matter in which the United States is a party or has a direct and substantial interest.

"(3) NOTIFICATION OF INVOLVEMENT IN PENDING MATTER.—An officer, employee, or former officer or employee described in paragraph (2) shall submit to the head of each appropriate department, agency, court, or commission, in writing, a notification of any personal and substantial involvement the officer, employee, or former officer or employee had as an officer or employee of the United States with respect to the pending matter."

#### SEC. 3. EFFECTIVE DATE.

The effective date of the amendment made by this Act shall be the date that is 1 year after the date of enactment of this Act.

The bill, as amended, was read the third time and passed.

#### PUBLIC LAW 107-153 MODIFICATION

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 318, S. 1892.

The PRESIDING OFFICER. The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1892) to amend Public Law 107-153 to modify a certain date.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the amendment at the desk be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 2690) was agreed to, as follows:

AMENDMENT NO. 2690

On page 1, line 6, strike "2005" and insert "2000".

The bill (S. 1892), as amended, was read the third time and passed.

(The bill will be printed in a future edition of the RECORD.)

#### MEASURE PLACED ON THE CALENDAR—H.R. 2892

Mr. FRIST. Mr. President, I understand there is a bill at the desk that is due for its second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the second time.

The assistant legislative clerk read as follows:

A bill (H.R. 2892) to amend section 255 of the National Housing Act to remove the limitation on the number of reverse mortgages that may be insured under the FHA mortgage insurance program for such mortgages.

Mr. FRIST. Mr. President, in order to place the bill on the calendar under provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

#### ORDERS FOR SATURDAY, DECEMBER 17, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 4 p.m. on Saturday, December 17. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. FRIST. Mr. President, tomorrow we will return to session. As I stated this morning, we are waiting for additional legislative items to come from the House. The House may vote on the Defense authorization conference report later this evening or tomorrow morning. I am unaware of anyone who has requested a rollcall vote on that conference report and, therefore, we expect to debate that during tomorrow's session if that measure is received.

We also have a number of nominations we have been working on over the last several days. We expect to get those wrapped up tomorrow. At this point, we anticipate acting on those nominations without the need for rollcall votes.

Having said that, we will be in session working on the important business that remains. At this juncture, after discussion with the Democratic leader, we do not anticipate a need for rollcall votes tomorrow. I want to say that in a very careful way because we have so much happening right now and, as I said, we will be working through much of the night, and we want to continue to move forward on measures. Senators have been patient. We have said for some time that we would be in this weekend, Saturday and in all likelihood Sunday as well, working through our final business.

Tomorrow, I will continue to work with the Democratic leader to clear as much as we possibly can by unanimous consent. We also expect the Defense appropriations conference report to be ready at some point this weekend, and we will turn to that measure just as